

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
December 8, 2003 7:00 PM**

PRESENT: Brian C. Warburton, Chairman, Virginia Bridle,
William Sullivan, Cliff Pratt, James Workman
James Barrington, Town Manager
Karen Anderson, Administrative Assistant

1. The Board of Selectmen held a public hearing to take comments from the public on the acceptance of a storm water drainage easement from Brooke's Lane, LLC. This is the first of two hearings in accordance with RSA 41:14-a.

Mr. John Hangen said that when Public Works reviewed the plans for this development they recommended that the town not accept any drainage easement located on Lot 3. He explained that the developer should remain responsible for the maintenance of that. If the easement is located elsewhere, he has no concerns with the town's acceptance. The Board will check the location of that easement. Mr. Sullivan said that the Planning Board has revised the bond to \$30,000 for this development. Mr. Warburton read the approvals from the Planning Board and the Conservation Commission on the acceptance of this easement.

2. The Board of Selectmen held a public hearing to take comments from the public on the deeding of a 64 sq. ft. portion of a utility easement to William & Lydia Keohane, 38 Reddington Landing. This is the first of two hearings in accordance with RSA 41:14-a.

There were no public comments. Mr. Sullivan noted that the Planning Board has voted affirmatively on this matter. Mr. Warburton read the approvals from the Planning Board and the Conservation Commission on the deeding of this portion of the utility easement.

Mr. Sullivan noted that Mark Fougere has been a tremendous asset to the Planning Board as the interim planner.

The second hearing on both of these matters will be December 22nd.

3. The Board of Selectmen held a public hearing on amending various fees in the Town of Hampton. Mr. Warburton noted that the Town Manager has made recommendations for increases in several sources of revenue for the Town. If the increased fees are adopted it will result in an estimated \$190,000 increase in revenue.

Mr. Michael Plouffe, asked if the proposed \$40.00 charge for sewer locations is to locate a lateral for a house service. He noted that this service used to be done as part of the homeowner's \$100 fee to hook up to the sewer. Mr. Plouffe said that the homeowner is already paying the taxes to fund the sewer line. Mr. Barrington said that this is for locating the lateral in the road, similar to what Dig Safe does. Mr. Plouffe said that the residents support the funding of the infrastructure, and the fee should only recoup the cost for inspecting and recording the location of the sewer laterals.

Mr. Plouffe said that he thinks some of these fees are going beyond what they should and expressed his concern with the sewer hookup fee being increased from \$100 to \$300. Mr. Sullivan asked if the \$300 should be charged only for new construction, and retain the \$100 charge for existing construction. Mrs. Bridle said that she agrees with Mr. Plouffe and while some of the permit fees should be increased, she does not want to see the taxpayers that have already had a large increase in taxes have larger fees to pay.

Mr. Sullivan said he would like to see the fine for parking in a handicapped parking space be increased to \$100.

Mr. Barrington said that if the Board decides to act on any of these they could do so. Chief Wrenn has recommended that the police fines be effective on February 1st to allow time to have new tickets made. Any of the other changes could be made effective January 1st. The Board agreed to hold off any decision until December 22nd.

I. SALUTE TO THE FLAG

Mr. Richard Reniere led the audience in the salute to the flag.

II. ANNOUNCEMENTS

Snowstorm

The Board congratulated Public Works on the job they did during the major snowstorm this past weekend. Mr. Warburton noted that it was a difficult decision to cancel the Christmas parade due to the storm; the same theme will be used next year.

Christmas Greetings to the Military

Mr. Sullivan noted that his cousin, whose parents live on Esker Road, is serving in Iraq and he asked that the Board sign a Christmas card for him. Mr. Sullivan asked the Board members if they would be willing to do this for any resident that has a relative serving their country. The Board thought it was a wonderful idea and encouraged any resident wishing the Board to sign a card to bring it to the Town Manager's office where it will be signed and sent off.

Wedding Anniversary

The Board wished a happy 10th wedding anniversary to Sandy and Sharon Buck.

Town Meeting

The Deliberative Session will be held on Saturday, January 31st. The filing period to run for elected office is from January 21st -to-January 30th.

III. OLD BUSINESS

On Line Vehicle Registrations

Mr. Warburton said that during the review of warrant articles last week, there was an article to authorize the use of the Internet for vehicle registrations and other services for the town. The Board did not recommend the article and Mr. Warburton told the Board that Town Clerk Arleen Andreozzi sent him a note requesting the opportunity to explain the proposal to the Board. Mrs. Andreozzi thanked the Board for the chance to explain how this can benefit the town, explaining that the software provider her office uses to register vehicles, Interware Development Corp., is setting up a web site that will allow residents to register their vehicles over the Internet. The site will not be sponsored by the town and there will be a convenience fee charged to the residents using it. Mrs. Andreozzi said that residents will log into the web site with their date of birth and registration information and pay their registrations with an electronic check. The town will have the final say if the vehicle can be legally registered in the town and will print out the check and mail the renewed registrations/decals to the resident.

Mr. Warburton asked at what point this could become a reality for residents. Mrs. Andreozzi said that the company is in the Beta Testing process at this time and the service could be available in the second quarter of 2004. Mr. Sullivan asked if this will require the town to notify residents of their HIPPA rights. Mrs. Andreozzi said that she did not think so. She added that her department did a survey about adding this service and the response was 2 to 1 in favor of it. Mrs. Bridle asked if this is the only company that offers this. Mrs. Andreozzi stated that she believes it is the only one at this time, although some other towns provide the service themselves. Mrs. Bridle asked if the Town could go with this company without going out to bid. Mr. Barrington said that he understands that this is the vendor that the State has selected. Mr. Warburton asked if the provider is doing this for other towns. Mrs. Andreozzi said that they are in the testing phase and haven't started to provide the service yet.

Mrs. Bridle asked if this would be the only department in town to do something like this. Mr. Barrington said it would. Mrs. Andreozzi said that the only cost she would have would be getting the checks to print and mailing the registrations out.

Mr. Pratt said that he would like to see the service operating for a while before the town gets involved; he does not want to be part of the testing. Mr. Workman said that it is a good idea but he is not sure that the time is right. Mrs. Andreozzi said she can understand the Board's feeling on this and she appreciates the opportunity to bring it forward. Mr. Warburton commended her for being visionary.

Tax Collections

Tax Collector Joyce Sheehan has reported that the 2003 fiscal year property taxes are now 93% collected. Mr. Sullivan said that he spoke with a resident from the beach that had a tax increase of nearly \$3,000 and was concerned that the time frame in which to pay the increased bill was short. Mrs. Bridle said that was why the Board continually spoke about the increases coming in valuations, although the exact amount was not available until the bills went out.

Town Manager's Report

Gazebo

Mr. Barrington reported that the town has received the signed deed from the Chamber of Commerce for the gazebo in Marelli Park. It will be recorded this week.

Exeter Road Railroad Bridge

Mr. Barrington told the Board that he would be attending a meeting in Concord at the DOT office December 11th to review the historical evaluation in regard to the Exeter Road Railroad Bridge project. It appears that the results of that meeting will form the basis of DOT's answer to the question of their participation in the purchase of land south of the bridge for the realignment.

Underground Utilities

Mr. Barrington explained that in the Selectmen's packets was a letter from Unitil related to the costs of underground utilities at the beach. This is obviously going to be a major expense if pursued to completion. Finding the source of funding for this will be a challenging task. The Merton Group is drawing close to implementation of the fiber optic system in Hanover, and they have reported that they expect that to be accomplished without the need to sell bonds. Mr. Barrington told the Board that he is researching if it will be legal and appropriate for the Town to charge a rental fee for hosting utility lines in underground conduits installed by the Town. The PUC will be involved in that ultimate decision.

Mr. Warburton asked if the Board voted last spring to only send a questionnaire out to residents to see if they were interested in the town owning a fiber optic system. Mr. Barrington said that the Board's approval was for the Merton Group to do their study of Hampton, which includes the questionnaire. At this time they have done some of the preliminary research and are preparing for the questionnaire to be sent. Mr. Warburton expressed concerns that the questionnaire has not even been sent out yet. Mr. Barrington said that the Merton Group has been doing work in a lot of communities, with Hanover being the closest to fruition at this time.

Revenues

Mr. Barrington gave the Board the proposed 2004 revenues and noted that the numbers will be reviewed and adjusted prior to the tax rate setting next year. The Board needs to review and formally send forward the revenues to the Budget Committee.

Condolences

The Board expressed the condolences to the family of Louis Dubois. Mr. Warburton noted that Louis is the father Judy Dubois and Marilyn Henderson, both Supervisors of the Checklist.

Mrs. Bridle asked if the Board has sponsored a warrant article on the Exeter Road Railroad Bridge. Mr. Barrington said that article is on hold until further information is available from the State. Mr. Warburton said that the Board will need to decide if they want to move forward on that this year.

Mr. Workman asked where the Fire Department found \$30,000 for the architectural study. Mr. Barrington verified that the cost for the study was \$16,000 and he had not checked with the Chief to see where the funds were taken from.

Drakeside Road

Mrs. Bridle asked if there was any additional information on the completion of the pump station on Drakeside Road. Mr. Barrington said that he did not have anything new to add. Mr. Hangen was present and explained that there was a serious problem with the pump station construction because the developer did not follow the specifications for the foundation and the building. The developer has agreed to replace the foundation and make some changes, but nothing has been done at this point. Mrs. Bridle said that the developer and his attorney had no problem with the requirements that the town set, although the work has not been completed. Mr. Hangen said that the Board of Selectmen has tied issuance of the certificates of occupancy to the completion of the pump station, and with the buildings nearing completion the developer will have an incentive to complete the pump station in order to get the certificates of occupancy. Mr. Sullivan asked if the developer has been proceeding on the pump station. Mr. Hangen said that he had agreed to make the corrections, but nothing has been done since that time. Mr. Pratt said that the town will benefit in the long run with the addition of the sewer in Drakeside Road. Mr. Barrington said that the buildings that he has under construction at this time are dependent on the completion of the pump station and there is no way they can be occupied until the certificates are in hand. Mr. Workman said that he shares Mrs. Bridle's frustration.

V. NEW BUSINESS

Underground Utilities – Infrastructure Upgrade

Mr. Warburton said that the voters approved a \$12 million dollar bond last year for infrastructure upgrades at Hampton Beach and he is concerned after reading a letter from Mr. Scott Wade, of Unitil, that the Board of Selectmen received a copy of regarding the costs to relocate the utilities underground. The cost estimate is in the vicinity of \$21,000,000. Mr. Warburton said that he wonders why that information wasn't looked into prior to the Town Meeting last year. Mr. Pratt asked if this has had been costed out at the beginning of the project. Mr. Pratt noted that he was on the Route 1 Reconstruction Committee and at the beginning of that project they had looked into underground utilities and learned that it would be over \$4 million and the committee opted not to go forward with that. Mrs. Bridle said that it is not fair to keep asking the residents to commit more money for this project. Mr. Sullivan said that the underground utilities for Unitil was \$21 million, which does not include the costs associated with the telephone, cable or other services. Mr. Sullivan said that the infrastructure upgrade was for sewers and drainage and the underground utilities are not related to this project. Mr. Warburton said he thought the original proposal did include underground utilities. Mr. Workman said that it was his understanding that the \$12 million appropriation was for town infrastructure, not private infrastructure. Mr. Warburton asked if the work associated with the \$21 million cost was tied in with the \$12 million article in any way, shape, or form. Mr. Barrington said it was not.

Mr. Barrington told the Board that after the \$12 million infrastructure article was passed in March, one of the first things that was done was to call a meeting of all those involved, which included the utilities. They were told that new sewers, storm drains, sidewalks and roads were going to be put in and the utilities were told to begin making their plans for any replacements at that time. At the meeting, the possibility of relocating the utilities underground was suggested and Unitil said that was something that the town should not consider. The Precinct Commissioners said that they wanted it done and would be willing to increase the Precinct taxes to accomplish that. Without an estimate of the cost it was difficult to go forward, and now Unitil has supplied that estimate. Mr. Barrington said that it has never been his intention to go back to the voters for more money and only if there are alternate funding sources to pay for the underground utilities is he willing to look into it. Mr. Barrington said that he is aware of the budget for this project and

is trying to accomplish the work within that amount. He added that with this estimate, Unitil is clearly telling the town that they are not interested in putting the lines underground. Mr. Warburton said that he does not mind spending money if he knows what is being done. Mr. Warburton asked where the \$12 million cost estimate for the article came from. Mr. Barrington said that amount came from a series of meetings on the components of the project, with the assistance of Wright – Pierce. Mr. Sullivan said that the Town Manager is giving the Board of Selectmen too much information.

Mr. Warburton said that he is concerned that the town has too many projects going on at one time. He said that he is going to be very careful approving anything unless it has been completely researched. Mr. Warburton noted that the Town continues to talk about approaching the State for funds at a time when State employees are being let go because of funding concerns. Mr. Pratt pointed out that although funds may be coming through the State, it is likely that they are Federal funds. Mr. Warburton said that if you magnify the town's portion by several projects going on at once, it is still a large impact to the town taxpayers.

Mrs. Bridle asked where the \$12 million is at this time. Mr. Barrington said that the \$12 million has been authorized to be borrowed, at this time the town is in the process of the engineering work that will help DES determine how much of that \$12 million will be eligible for the SRF program and State Aid grants. The pieces of the project that are determined not to be eligible for SRF will be financed through bonds that will be sold. Mrs. Bridle confirmed that the \$12 million has not affected the tax rate at this time. Mr. Barrington said that was correct.

Mosquito Control Warrant Article Request – Salt Marsh Restoration

Mr. John Skumin, Chairman of the Mosquito Control Commission has requested that the Board of Selectmen sponsor a warrant article for \$25,000 for salt marsh restoration. Mr. Barrington said that the Conservation Commission has done this each year, and this year decided not to put the article forward in due to the article to purchase the development rights for the Hurd Farm. Mr. Skumin has requested that the article be put forward as a mosquito control measure. Mr. Warburton said that he has always been in favor of salt marsh restoration and would be in favor of the article. Mr. Pratt said that any type of mosquito control is good.

Mrs. Bridle MOTIONED that the Board of Selectmen sponsor an article for \$25,000 for salt marsh restoration.

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

Elderly Exemption

The Board discussed the suggestion Mr. Reniere made last week in regard to adjusting the income limits for the elderly exemption article being proposed. Mr. Barrington told the Board that he reviewed the statute with Mr. Estey and the Board can make that adjustment. Mr. Estey has recommended that if the Board were to change any of the income limits, they do so for the elderly exemption in order to prevent a resident from losing an exemption after reaching the age of qualifying for the elderly exemption.

Mrs. Bridle MOTIONED that the Board of Selectmen amend the income limits on the proposed article for the elderly exemption to \$30,000 for a single resident and \$50,000 for a couple.

Mr. Sullivan SECONDED

VOTE: UNANIMOUS FOR

VI. MINUTES

The minutes of December 1, 2003 were accepted as written.

VII. CONSENT AGENDA

1. Cemetery Deeds
2. Leased Land Sales Agreement – 173 Kings Highway
3. Pole Permit – Additional Pole on Island Path

Mr. Sullivan MOTIONED that the Consent Agenda be approved.

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

2004 Revenues

Mr. Pratt MOTIONED that the Board approve the proposed revenues for 2004 in the amount of \$6,634,823.

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

Hampton Attack

Mr. Warburton told the Board that he received some calls last week in regard to an article in the Hampton Union stating that the Hampton Attack basketball team would be holding tryouts in cooperation with the Recreation Department. He noted that Hampton Attack is an independent organization, with its own Board of Directors, much like the Hampton Youth Association. Mr. Warburton said that the Hampton Attack had requested from the School Board time in the gym for tryouts and practices on Sundays and by watching the last school board meeting he understands that a majority of the members were in favor of leaving the buildings closed on Sundays. Mr. Warburton asked how conflicts with gym space would be resolved between private organizations and if Hampton Attack would relinquish their organization to the town. He noted that Hampton Attack is operated as an "All Star" team and is open to just the best players. Mr. Warburton said that the Board was told a couple of weeks ago that another full time person would be needed in the Recreation Department if the town were to take over HYA because the department was so busy and while he understands Mrs. Martin gets requests all the time, she has to be able to say no.

Mrs. Martin explained that for several years there has been a gap of time without a program for the children between the HYA basketball season to the HYA baseball/softball season and she has been trying to find something to fill that gap. The suggestion had been made to her to provide a travel basketball league during that time period and for the past few years she has not had enough volunteers during that period to do that. Mrs. Martin continued saying that Mr. Dawson, from Hampton Attack recently approached her to put together some travel basketball teams to play against other communities, saying that they had the volunteers and players available. Mrs. Martin said she thought this would fill that gap and provide some revenue for the department at the same time. Mr. Warburton said that he has been a proponent of the recreation programs, but feels it is a real problem when decisions are made without doing research. Mr. Warburton said that the Hampton Attack is an exclusive team of just the best players from many towns, not limited to only Hampton, North Hampton and Hampton Falls as the HYA is. Mr. Warburton said that a town department, using town funds should only be sponsoring town programs. Mr. Warburton added that he received a call from a resident concerned that the tryout fee was a \$10 nonrefundable fee.

Mr. Sullivan said that this is a discussion that should be had with Mr. Barrington as Mrs. Martin works for him. Mr. Warburton asked if Mr. Barrington was aware of the specifics of this. Mr. Barrington said that he was not aware of what Hampton Attack was. Mr. Warburton said that Hampton Attack does a great job with it's programs, and his daughters are both involved with the soccer, but it should not be something that the Town is involved with. Mr. Barrington said that there are a number of groups that come to Mrs. Martin with requests and she does have to turn many of them away. Mr. Barrington said that if an organization is open to any participant from the community or is specialized may be a good line of demarcation for a policy the town may want to adopt in this regard.

Mrs. Martin said that if the Board decides that she should not be involved with that program she will abide by that. She added that she was just trying to provide another service to the community. Mrs. Bridle said that Hampton Attack should have been one to request gym space from the School Board. Mr. Warburton said that they went through the Town because they did not like the answer they were getting from the School Board. Mrs. Bridle said that HYA and Hampton Attack should run their own programs. Mrs. Martin said that taking over HYA was something that was brought up to her and she brought it forward to the Manager and the Board. Mrs. Bridle said that Mrs. Martin should not feel bad offering fewer programs, in order to provide quality programs.

VII. PUBLIC COMMENTS

Mr. Richard Reniere thanked the Board for making the amendments to the warrant article for the elderly exemptions and he assured the Board that he will encourage residents to support the exemption articles in March.

VIII. ADJOURNMENT

Mr. Sullivan MOTIONED that the meeting be adjourned. (9:10 PM)

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

The Board will meet on December 15, 2003 in the conference room.

Chairman